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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/047,684	01/16/2002	Deborah H. Miller	WMA99011D1	4722

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WORLDCOM, INC.  
TECHNOLOGY LAW DEPARTMENT  
1133 19TH STREET NW  
WASHINGTON, DC 20036

EXAMINER

ESCALANTE, OVIDIO

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 05/01/2003

1)

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/047,684

Applicant(s)

MILLER ET AL.

Examiner

Ovidio Escalante

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 13 February 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-21 and 55 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 and 55 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. This action is in response to applicant's amendment filed on February 13, 2003. **Claims 1-21 and 55** are now pending in the present application.

***Claim Rejections - 35 USC § 102***

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 1,3,4,7,8,21 and 55 are rejected under 35 U.S.C. 102(e) as being anticipated by Tessler et al. US Patent 6,289,090.

***Regarding claims 1 and 21***, Tessler teaches a method and apparatus to verify a dialed number and a machine-readable medium whose contents cause a computer system to verify a dialed number (col. 2, lines 49-57) comprising:

receiving a request from a calling party to send a first call station a number sent from said first call station and associated with a second call station, the request not including the number, (the verification module "the processor within the SSP" verifies the calling party's services and receives the calling party's request for AIN services; col. 1, lines 50-53; col. 3, lines 45-52; the calling party requests the service by invoking an AIN trigger; the request in only the AIN trigger which is e.g. off-hook); and

sending said number to the calling party in accordance with said request, (col. 2, lines 49-57).

***Regarding claim 3***, Tessler teaches sending a reconnect request to said first call station after said number is sent, (col. 4, lines 11-20; after the caller receives the number, the system sends a reconnect/confirmation request to the caller);

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receiving a response to said reconnect request, (col. 4, lines 12-13; the call sends a confirmation signal); and

sending a second call request to connect said first call station with said second call station, (col. 4, lines 11-20; the call is connected to the second call station after the caller agrees that the connection should be established).

***Regarding claim 4***, Tessler teaches wherein said second call request utilizes said number, (col. 4, lines 10-13; the same number that was originally dialed is used).

***Regarding claims 7 and 8***, Tessler teaches wherein said first call station is associated with a display device, and said sending comprises sending said number to said display device and wherein the display device is a caller identification display device, (col. 3, lines 10-24).

***Regarding claim 55***, Tessler teaches a method to verify a dialed number (abstract), comprising:

receiving a call connection request from a calling party to a called party, (col. 1, lines 50-53);

receiving a request from the calling party to send a number associated with the called party to the calling party while the call is being connected, the request not including the number, (col. 3, lines 45-52; the request can occur at different steps of the call model; and the request is an AIN trigger (e.g. off-hook) and therefore does not include the number);

terminating the call connection, (col. 4, lines 13-20); and

sending the number to the calling party based on the request, (col. 2, lines 49-57).

***Claim Rejections - 35 USC § 103***

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 2 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tessler US Patent 6,289,090.

***Regarding claim 2***, while Tessler does not specifically teach of terminating the first call request prior to sending said first call station said number the Examiner notes that it would have been obvious if not inherent that the system of Tessler would terminate the call if the system determines that the call request is inactive prior to sending said first call station said number (col. 4, lines 7-20), since the system would have no way of sending the number to the calling party if the calling party is no longer on the line, i.e., if the calling party is on-hook and since the system cannot connect the calling party to the called party if the calling party is no longer active.

Therefore, one skilled in the art would have modified the system of Tessler by terminating the call prior to sending the information to the calling party when the calling party is inactive so that system resources do not have to be used up by performing tasks that have already ended or tasks that cannot be completed.

***Regarding claim 5***, while Tessler teaches of allowing a user to reject or accept a call after receiving the called station number, Tessler does not specifically state of using another number, however one skilled in the art would have known that the system of Tessler is capable of utilizing a second number since a user will typically redial a second number if the system sends a number that was incorrectly dialed, (col. 4, lines 11-20).

Therefore, one skilled in the art would have modified the system of Tessler by utilizing a second number which is different from the first number so that the calling party can be able to connect to the correct called station if the calling party mistakenly entered the first number incorrectly.

6. Claims 6,9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tessler in view of Baral et al. US Patent 4,932,042.

***Regarding claim 6***, while Tessler teaches of sending the calling party audio information (col. 9, lines 59-62), Tessler does not specifically teach of sending the calling party the called number in audio format.

Baral teaches that it was well known in the art to converting a number to audio form for dialed number verification and sending said number to said first call station in audio form, (figs. 1 ref. 22; fig. 2 ref. 125; col. 3, lines 56-59).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Tessler by converting the called number to audio form as taught by Baral so that the calling party can audibly hear the number and will not have to look for the display. This will allow the user to operate the handset without reading any information that it provided to the user.

***Regarding claims 9 and 10***, while Tessler teaches of a generating billing data, Tessler does not specifically teach of sending an indicia of said calling party's request to the billing system.

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Baral teaches of sending indicia of said request to a billing system and recording said request by said billing system, (col. 6, lines 58-61); and billing said request to the calling party, (col. 6, lines 41-49).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Tessler by sending indicia of said request to the billing system as taught by Baral so that the billing service will be able to determine whether or not the number verification has been used so that the calling party can be correctly billed for using the service.

7. Claims 11-15, 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tessler et al. US Patent 6,289,090 in view of Aoyama US Patent 5,119,415.

***Regarding claim 11***, Tessler teaches a machine-readable medium whose contents cause a computer system to verify a dialed number (col. 2, lines 49-57) comprising:

receiving a request from a calling party to send a first call station a number sent from said first call station and associated with a second call station, (the verification module “the processor within the SSP” verifies the calling party’s services and receives the calling party’s request for AIN services; col. 1, lines 50-53; col. 3, lines 45-52; the calling party requests the service by invoking an AIN trigger); and

sending said number to the calling party in accordance with said request, (col. 2, lines 49-57).

While Tessler teaches of receiving an AIN trigger as the request, Tessler does not specifically teach of the request being initiated in response to the calling party selection of one or more designated keys of the first call station.

Aoyama teaches of a method and apparatus for sending the calling party information the called party, (abstract). Aoyama further teaches that the calling party can press at least one key to invoke the service, (col. 7, lines 24-32). Aoyama teaches that the display means shows the calling status, called number, and called party information, (fig. 9; col. 6, lines 58-67). One of ordinary skill in the art would have been motivated to have the calling party trigger so that the calling party will only received called party information when they chose to and not for every call.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Tessler, by using the teaching of Aoyama which teaches of having the calling party initiate a service by pressing at least one key to be used, so that the calling party can control when AIN services are initiated.

***Regarding claim 13***, Tessler teaches sending a reconnect request to said first call station after said number is sent, (col. 4, lines 11-20; after the caller receives the number, the system sends a reconnect/confirmation request to the caller);

receiving a response to said reconnect request, (col. 4, lines 12-13; the call sends a confirmation signal); and

sending a second call request to connect said first call station with said second call station, (col. 4, lines 11-20; the call is connected to the second call station after the caller agrees that the connection should be established).

***Regarding claim 14***, Tessler teaches wherein said second call request utilizes said number, (col. 4, lines 10-13; the same number that was originally dialed is used).



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**Regarding claim 17 and 18**, Tessler teaches wherein said first call station is associated with a display device, and said sending comprises sending said number to said display device and wherein the display device is a caller identification display device, (col. 3, lines 10-24).

**Regarding claim 12**, While Tessler does not specifically teach of terminating the first call request prior to sending said first call station said number the Examiner notes that it would have been obvious if not inherent that the system of Tessler would terminate the call if the system determines that the call request is inactive prior to sending said first call station said number (col. 4, lines 7-20), since the system would have no way of sending the number to the calling party if the calling party is no longer on the line, i.e., if the calling party is on-hook and since the system cannot connect the calling party to the called party if the calling party is no longer active.

Therefore, one skilled in the art would have modified the system of Tessler by terminating the call prior to sending the information to the calling party when the calling party is inactive so that system resources do not have to be used up by performing tasks that have already ended or tasks that cannot be completed.

**Regarding claim 15**, while Tessler teaches of allowing a user to reject or accept a call after receiving the called station number, Tessler does not specifically state of using another number, however one skilled in the art would have known that the system of Tessler is capable of utilizing a second number since a user will typically redial a second number if the system sends a number that was incorrectly dialed, (col. 4, lines 11-20).

Therefore, one skilled in the art would have modified the system of Tessler by utilizing a second number which is different from the first number so that the calling party can be able to

connect to the correct called station if the calling party mistakenly entered the first number incorrectly.

8. Claims 16,19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tessler in view of Aoyama and further in view of Baral et al. US Patent 4,932,042.

**Regarding claim 16**, while Tessler teaches of sending the calling party audio information (col. 9, lines 59-62), Tessler does not specifically teach of sending the calling party the called number in audio format.

Baral teaches that it was well known in the art to converting a number to audio form for dialed number verification and sending said number to said first call station in audio form, (figs. 1 ref. 22; fig. 2 ref. 125; col. 3, lines 56-59).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Tessler and Aoyama by converting the called number to audio form as taught by Baral so that the calling party can audibly hear the number and will not have to look for the display. This will allow the user to operate the handset without reading any information that it provided to the user.

**Regarding claim 19 and 20**, while Tessler teaches of a generating billing data, Tessler does not specifically teach of sending an indicia of said calling party's request to the billing system.

Baral teaches of sending indicia of said request to a billing system and recording said request by said billing system, (col. 6, lines 58-61); and billing said request to the calling party, (col. 6, lines 41-49).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Tessler and Aoyama by sending indicia of said request to the billing system as taught by Baral so that the billing service will be able to determine whether or not the number verification has been used so that the calling party can be correctly billed for using the service.

***Response to Arguments***

9. Applicant's arguments with respect to claims 11-20 have been considered but are moot in view of the new ground(s) of rejection.

10. Applicant's arguments filed February 13, 2003 have been fully considered but they are not persuasive.

Applicants contend that Tessler does not teach of the request does not include the number. Applicant specifically points to col. 3, lines 57-60 and col. 7, lines 59-63 for supporting the basis for their arguments. Applicants also submit that the name of the called party is retrieved on the basis of the digits contained in the query. The Examiner respectfully disagrees that Tessler does not read on the newly added limitation.

In response to the argument that the name of the called party is retrieved on the basis of the digits contained in the query the Examiner notes that the AIN trigger and the AIN query are two different signals. The "request" as stated by the Examiner, is only the AIN trigger (e.g. off-hook) which originates from the calling station. The AIN query does not originate from the calling station but from the SSP. This is disclosed in col. 7, lines 31-46, in which the SSP detects the request and then sends a query to the SCP. Therefore the Examiner maintains that the request includes only the AIN trigger which is used to initiate a service for called number verification.

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The off-hook condition which is used in the main embodiment of Tessler is used to initiate the service.

In light of the response above, the Examiner maintains that at least claims 1,21 and 55 are anticipated by Tessler.

***Conclusion***

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

12. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for formal communications intended for entry)

Or:

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(703) 872-9314, (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal  
Drive, Arlington, VA, Sixth Floor (Receptionist).

13. Any inquiry concerning this communication or earlier communications from the  
examiner should be directed to Ovidio Escalante whose telephone number is (703) 308-6262.  
The examiner can normally be reached on Monday to Friday from 6:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's  
supervisor, Fan Tsang, can be reached on (703) 305-4895. The fax phone number for this Group  
is (703) 872-9314.

Communications via Internet e-mail regarding this application, other than those under 35  
U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be  
addressed to [fan.tsang@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO  
employees do not engage in Internet communications where there exists a possibility that  
sensitive information could be identified or exchanged unless the record includes a properly  
signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly  
set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and  
Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding  
should be directed to the Technology Center 2600 Customer Service Office whose telephone  
number is (703) 306-0377.

Ovidio Escalante  
Examiner  
Group 2645  
April 28, 2003

FAN TSANG  
SUPERVISOR, PATENT EXAMINER  
TECHNOLOGY CENTER 2600

